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*Attorneys for Defendant and
Counterclaimant Skyryse, Inc.***UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and
DOES NOS. 1-50,

Defendants.

SKYRYSE, INC.,

Counterclaimant,

v

MOOG INC.,

Counterclaim-Defendant.

CASE NO. 2:22-cv-09094-GW-
MAR**JOINT STIPULATION TO
CONTINUE HEARING ON
PLAINTIFF AND COUNTER-
DEFENDANT MOOG INC.'S
MOTION TO ENFORCE
COMPLIANCE WITH MARCH
11, 2022 TRO AND FOR
SANCTIONS (DKT. 400)**Complaint filed: March 7, 2022
Counterclaims filed: January 30,
2023

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*Attorneys for Defendant and
Counterclaimant Skyryse, Inc.*

1 IT IS HEREBY STIPULATED by and between Plaintiff and Counter-
2 Defendant Moog Inc. and Defendant and Counterclaimant Skyryse, Inc.
3 (collectively, the “Parties”) through their respective attorneys of record, as follows:

4 WHEREAS, on March 16, 2023, Moog filed against Skyryse a Motion to
5 Enforce Compliance with the March 11, 2022 Stipulated TRO (Dkt. 25) and for
6 Monetary and Adverse Inference Sanctions for Contempt and Spoliation
7 (the “Motion to Enforce”), with the hearing originally noticed for April 13, 2023
8 (Dkts. 399, 400);

9 WHEREAS, on March 21, 2023, Skyryse filed an *Ex Parte* Application to
10 continue the hearing date on Moog’s Motion to Enforce from April 13, 2023 to
11 May 15, 2023 (Dkt. 416), which was granted by the Court on March 23, 2023
12 (Dkt. 420);

13 WHEREAS, on April 24, 2023, Skyryse filed an Opposition to Moog’s
14 Motion to Enforce (Dkt. 453);

15 WHEREAS, on April 25, 2023, Moog served a notice of deposition and
16 subpoena to Michael R. Bandemer, a Skyryse-retained expert who provided a
17 declaration in support of Skyryse’s Opposition to Moog’s Motion to Enforce
18 (Dkt. 454-5);

19 WHEREAS, Moog noticed Mr. Bandemer’s deposition for May 3, 2023;

20 WHEREAS, on April 26, 2023, Skyryse’s counsel learned that Mr. Bandemer
21 is currently dealing with an urgent family health emergency and is unable to proceed
22 with a deposition;

23 WHEREAS, on April 27, 2023, Skyryse’s counsel immediately
24 communicated Mr. Bandemer’s unavailability to Moog’s counsel;

25 WHEREAS, the Parties’ counsel have conferred and agree that a continuance
26 of the hearing on Moog’s Motion to Enforce would be appropriate to allow the
27 parties time to attempt to reschedule Mr. Bandemer’s deposition, and to allow the
28

1 Court at least 14 days to review all filings in connection with the Motion to Enforce
2 in advance of any hearing, pursuant to Civil Local Rule 7-11;

3 WHEREAS, the Parties' counsel have conferred and are available for a
4 hearing on Moog's Motion to Enforce on June 8, 2023;

5 WHEREAS, the Parties will cooperate to reschedule the deposition of
6 Mr. Bandemer to take place at least three days before the filing of Moog's reply brief
7 in support of the Motion to Enforce, unless impracticable due to Mr. Bandemer's
8 continuing family health emergency, in which case the Parties agree to further meet
9 and confer in good faith to reach a resolution;

10 WHEREAS, pursuant to Civil Local Rules 7-10 and 7-11, continuing the
11 hearing on Moog's Motion to Enforce would extend Moog's deadline to file its
12 Reply in Support of Its Motion to Enforce from May 8, 2023 to May 25, 2023;

13 NOW, THEREFORE, the Parties stipulate and agree, pursuant to Civil Local
14 Rule 7-11 and subject to the Court's approval, to continue the hearing on Moog's
15 Motion to Enforce from May 15, 2023 to June 8, 2023 (or anytime thereafter that is
16 convenient for the Court).

17
18 **IT IS SO STIPULATED.**

19
20 Dated: May 3, 2023

**SHEPPARD, MULLIN,
RICHTER & HAMPTON LLP**

21
22 By: /s/ Kazim A. Naqvi
23 Counsel for Plaintiff and Counter-
Defendant Moog Inc.

LATHAM & WATKINS LLP

24
25 By: /s/ Gabriel S. Gross
26 Counsel for Defendant and
27 Counterclaimant Skyryse, Inc.
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ATTESTATION

Pursuant to Civil Local Rule 5-4.3.4, I, Gabriel S. Gross, attest that concurrence in the filing of this document has been obtained by all signatories.

Dated: May 3, 2023

/s/ Gabriel S. Gross